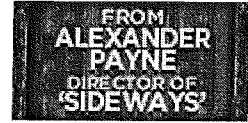


# Exhibit 4

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# Secret Archive of Ulster Troubles Faces Subpoena

By JIM DWYER

As the war in Northern Ireland was reaching its end in the late 1990s, two interviewers set out to collect memories of the conflict from men and women who had been involved as paramilitary fighters in some of the era's most violent and grim episodes.

The interviewers, working for an oral history project at Boston College, brought two tools: a digital minidisk recorder and a promise of confidentiality. In exchange for candor, the people being interviewed were assured that the contents would remain sealed until they were dead.

Now, however, authorities in the United Kingdom want oral histories that were given to Boston College by two members of the Provisional Irish Republican Army for an investigation into murders and kidnappings committed nearly 40 years ago.

The materials were subpoenaed last week by federal prosecutors acting at the behest of British officials, Jack Dunn, a spokesman for the college, said on Thursday.

The subpoena is the first indication that a criminal investigation is under way into the disappearance of at least nine people in Northern Ireland during the early 1970s who were thought to have informed for British authorities about the activities of republicans who were working to end British rule. Among them was a widowed mother of 10 who vanished from Belfast in 1972 and whose remains were located on a beach 50 miles away, in 2003.

It is also the first attempt by the authorities in Northern Ireland to use the Boston College oral history collection to build criminal cases, a development that has alarmed archivists.

The precise contents of the collection have not been disclosed, but it is believed to contain 30 to 50 oral histories from both republicans and paramilitaries loyal to the British Crown, many of whom used violence in hope of winning their side of the argument over Britain's role in Ireland.

The inquiry appears aimed at possible criminality by republicans, not loyalists.

The subpoena seeks the accounts of two former republican soldiers who accused Gerry Adams, the president of Sinn Fein, the republican political party, of running a secret cell within the I.R.A. that carried out the kidnappings and disappearances. Mr. Adams "has absolutely refuted that he had anything to do with it or had any knowledge of it," Rita O'Hare, a spokeswoman for Sinn Fein, said on Thursday.

Not only has Mr. Adams long denied involvement in the death squads, but he has also consistently denied having been a member of the I.R.A.

Mr. Adams was the principal leader of the republicans during negotiations that led to the I.R.A. cease-fire in 1994. He was sent in March to Parliament by voters in the Republic of Ireland, the first time he has stood for election outside Northern Ireland.

Boston College has not yet decided how it will respond to the subpoena, and college lawyers, in trying to learn more about who issued it and why, were told that a court order authorizing it was sealed, Mr. Dunn said.

The subpoena puts an uncomfortable light on oral history projects that may offer promises of extended confidentiality that they may find difficult to keep under legal pressure.

"This is our worst-case scenario," said Mary Marshall Clark, the director of the oral history research office at Columbia University. Interviewers for Columbia projects advise the subjects that whatever they say is subject to release under court orders, like subpoenas, and require them to sign consent forms, Ms. Clark said.

The authorities are seeking interviews conducted with Brendan Hughes and Delours Price, both of whom have admitted carrying out bombings in England and Northern Ireland. Mr. Hughes died in 2008, and portions of his history were published in "Voices From the Grave," by Ed Moloney, and included in a film of the same name by Patrick Farrelly, Kate O'Callaghan and Mr. Moloney.

In the film, Mr. Hughes is heard being asked about the promise of confidentiality.

"Do you have a problem with committing all this to a secret tape to be used only after you have died?" the interviewer, Anthony McIntyre, asks.

"I don't have a problem with that," Mr. Hughes replied. "If I did have a problem with that, I wouldn't be sitting here talking into the microphone. I think a lot of the stuff I'm saying here,

I'm saying it on trust, because I have a trust in you. I have never, ever, ever admitted to being a member of the I.R.A. — never — and I've just done it here."

Both Mr. Hughes and Ms. Price, once allies of Mr. Adams, fell out bitterly with him, in part over a peace process that they said did not achieve the goals that Irish republicans had fought for. Ms. Price's oral history has not been made public — indeed, Boston College has not revealed the names of any living participants.

The college's John J. Burns Library has amassed volumes of secret materials on Northern Ireland, including, this year, the papers of an international commission that oversaw the destruction of paramilitary arms dumps. They are sealed for 30 years. The oral history project is a joint effort of the library and the college's Center for Irish Programs.

The republican interviewer, Mr. McIntyre, a former I.R.A. member who was imprisoned in the North and who has a doctorate in history, said that compliance with the subpoena would imperil frankness from paramilitaries. "The damage it would do to research at the university would be unimaginable," he said. "People will hold onto their secrets forever."